

1  
2  
3  
4  
5  
6  
7 **UNITED STATES DISTRICT COURT**  
8 **WESTERN DISTRICT OF WASHINGTON**  
9 **TACOMA DIVISION**

10 WILL CO. LTD. a limited liability company  
11 organized under the laws of Japan,

12 Plaintiff,

13 vs.

14 KAM KEUNG FUNG, aka 馮錦強, aka  
15 FUNG KAM KEUNG, aka FUNG KAM-  
16 KEUNG, aka KUENG FUNG, aka KEUNG  
17 KAM FUNG, aka KAM-KEUNG FUNG, aka  
18 KEVIN FUNG, an individual; FELLOW  
19 SHINE GROUP LIMITED, a foreign company,  
20 and DOES 1-20, d/b/a AVGLE.COM,

21 Defendants.

**Case No.: 3:20-cv-05666-DGE**

**DECLARATION OF SPENCER  
FREEMAN IN SUPPORT OF  
PLAINTIFF'S MOTION FOR RELIEF  
OF DEADLINE TO FILE AMENDED  
RESPONSE TO MOTION TO DISMISS**

NOTE ON MOTION CALENDAR:  
October 29, 2021

22 I, Spencer D. Freeman, declare:

23 1. I am an attorney at law licensed to practice before the Courts of the State of  
24 Washington and the United States District Court Western District of Washington, Eastern  
25 District of Washington, District of Colorado, Southern District of Illinois, Ninth Circuit Court of  
26 Appeals, and United States Supreme Court. I am the principal attorney with the law firm of

DECLARATION OF S. FREEMAN ISO PLAINTIFF'S  
MOTION FOR RELIEF OF DEADLINE TO FILE  
AMENDED RESPONSE TO MOTION TO DISMISS  
[NO. 3:20-cv-05666-DGE]

- 1

**FREEMAN LAW FIRM, INC.**  
1107 ½ Tacoma Avenue South  
Tacoma, WA 98042  
(253) 383-4500 - (253) 383-4501 (fax)

1 Freeman Law Firm, Inc., attorneys for Will Co. Ltd. Unless otherwise stated, I have personal  
2 knowledge of the facts contained herein this declaration and, if called and sworn as a witness,  
3 could and would competently testify thereto.

4 2. On August 11, 2021, this office served Defendant Kam Keung Fung and  
5 Defendant Fellow Shine Group with discovery requests, including interrogatories and requests  
6 for production for each.

7 3. Defendants requested a short extension of the deadline, which was agreed to, and  
8 timely provided responses to the discovery requests on September 14, 2021.

9 4. On September 24, 2021, after review of the discovery responses, I requested a CR  
10 37 conference with Defendants' counsel regarding aspects of the production which I deemed  
11 deficient.

12 5. I conferred with Defendants' counsel on the discovery responses on September  
13 30, 2021.

14 6. The result of the discovery conference was that a motion to compel would need to  
15 be filed. However, it was also agreed that one aspect of the responses needed to be clarified in  
16 order to ensure proper issues relayed to the Court in a motion to compel.

17 7. As of the date of this filing, Defendants' counsel is still working with Defendants  
18 on this clarification.

19 8. Plaintiff cannot draft an amended response to the motion to dismiss absent a  
20 ruling on a motion to compel specific to responses to jurisdictional discovery.

21 9. We are waiting for clarification on the responses to the discovery requests in  
22 order to file an accurate and specific motion to compel.

23 10. As a result, Plaintiff cannot now meet the current deadline of October 19, 2021 to  
24 file an amended response.

25  
26  
DECLARATION OF S. FREEMAN ISO PLAINTIFF'S  
MOTION FOR RELIEF OF DEADLINE TO FILE  
AMENDED RESPONSE TO MOTION TO DISMISS  
[NO. 3:20-cv-05666-DGE]

- 2

**FREEMAN LAW FIRM, INC.**  
1107 ½ Tacoma Avenue South  
Tacoma, WA 98042  
(253) 383-4500 - (253) 383-4501 (fax)

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Spencer D. Freeman  
Spencer D. Freeman